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January 25, 2024

Via ECF; Total Pages: 2

Hon. Valerie E. Caproni, U.S.D.J.
United States District Court - SDNY
40 Foley Square New York
New York, NY 10007

Re: Mabry v. LAML, LLC d/b/a John Sullivan's Bar & Grill et al
Docket No. 1:23-cv-05468-VEC

Dear Judge Caproni:

This office represents defendants LAML, LLC, 240 BBJ Pub Inc., 505 HP LLC, Brendan Creegan, and John Creegan (hereinafter collectively "Defendants") in the above referenced matter. Pursuant to Rule 2 (C) of Your Honor's Individual Rules governing adjournments or request of extensions of time, Defendants are submitting this letter seeking an extension of time as to Plaintiff's collective action motion.

On January 5, 2024, the parties appeared in person for a conference before Your Honor. At that conference, the parties discussed Plaintiff's collective action claim, and I advised the court that Defendants would seek not to have the court burdened with an unnecessary motion, and I requested that Plaintiff's counsel send to us a proposed stipulation and notice for review. Over three (3) weeks later, and just two (2) days ago, on Tuesday January 23, 2024 Plaintiff's counsel finally sent to us proposed a Stipulation and Notice to be sent out to the potential class.

I have advised Plaintiff's counsel that I would like to discuss the proposed stipulation and notice with my client, and in addition have further discussions with Plaintiff's counsel as to the potential for settlement. I have been out of the office and in court during the past week and within the two (2) days that Plaintiff has provided to us, I have not had the opportunity to confer with my client as to the language in the proposed stipulation and notice.

The parties have been exchanging settlement numbers, which albeit are far apart, are not outside the realm of possible settlement. Plaintiff's collective action motion is due for filing tomorrow Friday 1/26/24. I have asked Plaintiff's counsel to consent to a two-week extension to allow me to meet with my client and discuss the proposed stipulation and notice, and to facilitate additional time for our ongoing settlement discussions. I was going to propose to Plaintiff's counsel that we meet in person to discuss settlement. I have reached out to Plaintiff's counsel as to the above extension, and he advised that he does not consent.

Thank you for your kind consideration and courtesies as to this matter.

Respectfully submitted,

Michael K. Chong

Michael K. Chong, Esq.

MKC/
cc: Michael Digiulio, Esq. (via ECF)